

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RICHARD STONE and	:	ECF CASE
LESLEY BLACKNER,	:	
	:	Case No. 17-cv-01574 (VEC)
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
SUTTON VIEW CAPITAL, LLC;	:	
MICHAEL WINSTON, and	:	
SUTTON VIEW PARTNERS, L.P.,	:	
	:	
<i>Defendants.</i>	:	
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STIPULATION OF DISMISSAL

WHEREAS, on May 1, 2017, Plaintiffs Richard L. Stone and Lesley Blackner (together, “Plaintiffs”), filed a *First Amended Complaint* (the “Complaint”) against Sutton View Capital (“SV Capital”), Michael Winston (“Winston”), and Sutton View Partners, L.P. (“SV Partners,” and collectively with SV Capital and Winston, the “Defendants,” and the Defendants collectively with Plaintiffs, the “Parties”) [Docket No. 101];

WHEREAS, on May 30, 2017, Defendants filed *Defendants’ Answer and Affirmative Defenses* [Docket No. 106];

WHEREAS, on June 20, 2017, Defendants filed *Defendants’ Amended Answer, Affirmative Defenses and Counterclaims* [Docket No. 109] (the “Amended Answer and Counterclaims”);

WHEREAS, on July 21, 2017, Plaintiffs moved to dismiss (the “Motion to Dismiss”) the counterclaims asserted in Defendants’ Amended Answer and Counterclaims [Docket No. 112];

WHEREAS, on December 8, 2017, the Court issued an Order and Opinion [Docket No.

128] granting the Motion to Dismiss in part, and denying the Motion to Dismiss in part;

WHEREAS, on January 19, 2018, Plaintiffs filed *Plaintiffs' Reply to Defendants' Counterclaim* (the "Counterclaim Answer");

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs, on the one hand, and the Defendants, on the other hand, through their undersigned counsel, as follows:

1. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, each of the Parties voluntarily dismisses, without prejudice and without costs, any and all claims and counterclaims asserted in the above-captioned action.

Dated: New York, New York
May 18, 2018

BROWN RUDNICK LLP

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/s/ Sigmund S. Wissner-Gross

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